

BILL NO. G-70-09-15

GENERAL ORDINANCE NO. G-100-70

AN ORDINANCE amending the Zoning Ordinance by adding thereto "Subsection N - Planned Unit Development".

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. Article III, Section 14 of Chapter. 36 of the
Municipal Code of the City of Fort Wayne, Indiana, 1946, as
amended, is hereby amended by adding thereto the following:

N. PLANNED UNIT DEVELOPMENT.

1. Intent. Ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers can produce Planned Unit Developments which are in keeping with over-all land use intensity and open space objectives of the Master Plan while departing from the strict application of use, setback, height and minimum lot size requirements of several zones. The intent of this section is to permit such flexibility and provide performance criteria for Planned Unit Development which: permit a creative approach to the development of residential land; accomplish a more desirable environment than would be possible through the strict application of minimum requirements of the zoning code and subdivision code; provide for an efficient use of land, resulting in smaller networks of utilities and streets and thereby lower housing costs; enhance the appearance of neighborhoods through preservation of natural features, the provision of underground utilities where feasible and the provision of recreation areas and open space in excess of existing zoning and subdivision requirements; provide an opportunity for new approaches to living environment; and provide an environment of stable character compatible with surrounding residential areas.
2. Voluntary alternate procedure. The use of the Planned Unit Development procedures contained herein is not

mandatory for the development of any parcel of ground. The intent and purpose of this process is to provide a voluntary alternate procedure which maximizes the utilization of land primarily for the benefit, use, and enjoyment of the future residents of that area and the existing residents of the City of Fort Wayne and its environs. In a Planned Unit Development open space and common recreational areas and facilities are the environment and livability benefits furnished to the resident and community in lieu of large individual lots.

3. Permitted use. Pursuant to Planning Act, of 1947, Chapter 174, and subject to the regulations, standards, and conditions set forth herein, Planned Unit Developments shall be permitted in Fort Wayne's planning jurisdiction upon obtaining final development plan approval from the Plan Commission. A special exception certification for a Planned Unit Development or part thereof may be issued only after (1) final subdivision approval thereof by the Plan Commission, and (2) filing the approved plan in the office of the Recorder of Allen County.
4. Location. Planned Unit Developments are permitted only in R-1, R-2, R-3, R.A., R.B., B1A, B1B, B-4, and M-1 Zoning Districts.
5. Principles of Planned Unit Development. The Planned Unit Development is a permitted use designed to provide for developments incorporating a single type or a variety of residential and related uses which are planned and developed as a unit. Such development may consist of individual lots or common building sites. Common land must be an essential and important element of the plan related to effecting the long-term value of the entire development.
6. Standards and criteria. Subject to the provisions set forth herein, Planned Unit Developments are permitted uses on sites consisting of no less than ten (10) contiguous acres unless the Commission and Council permits a lesser acreage because of unusual circumstances.

7. Uses and Requirements.

- A. Residential uses. Permitted land use requirements of the zone within which a Planned Unit Development is located shall apply, with the following exceptions:

(1) Open space reservations may be considered for population density and building intensity increases;

(2) Permitted types of dwelling units may include single family detached homes, town houses, garden apartments or high-rise apartments;

(3) Condominium, cooperative individual, municipal, or any other type of ownership hereby is permitted.

- B. Non-residential uses. Non-residential uses, limited to those specifically approved by the Plan Commission, are permitted in a Planned Unit Development provided that such uses primarily are for the service and convenience of the residents of the development and further provide that:

(1) No store shall exceed 10,000 square feet of gross floor area; and

(2) The total mercantile and office space permitted within a Planned Unit Development shall not exceed forty (40) square feet of gross floor area under roof per dwelling unit in the development, excluding in such computation, buildings used for non-profit educational, recreational or cultural purposes. However, the Commission may exclude mercantile and office space if adequate facilities are proposed or are existing in the area.

- C. Minimum requirements.

(1) Yard, setback, lot size, type of dwelling unit, height, frontage requirements, and use restrictions may be waived for the Planned Unit Development, provided that the spirit and intent of this section are complied with in the total

development plan, as determined by the Plan Commission. The Plan Commission may determine that certain setbacks be required within all or a portion of the perimeter of the site, and shall exercise ultimate discretion as to whether the total development plan does comply with the spirit and intent of this section.

(2) Every dwelling unit shall have access to a public street, walkway or other area dedicated to common use.

(3) The approximate location of structures, shown on the conceptual development plan, shall be so arranged as not to be detrimental to existing or other proposed structures or to the development of the neighborhood.

- D. Privacy. Each development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walks, barriers, and landscaping shall be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views, or uses and reduction of noise. High-rise buildings, if permitted, shall be located within a Planned Unit Development in such a way as to dissipate any adverse impact on adjoining low-rise buildings and shall not invade the privacy of the occupants of such low-rise buildings.
- E. Off-street parking. Parking convenient to all dwelling units and other uses, shall be provided pursuant to the minimum requirements of the Rating Chart I of this ordinance. Where appropriate, common driveways, parking areas, walks and steps shall be provided, maintained and lighted for night use. Screening of parking and service areas may be required through ample use of trees, shrubs, hedges and screening walls.
- F. Perimeter requirements. If topographical or other barriers within two hundred (200) feet of the perimeter of the development do not provide reasonable privacy for existing uses adjacent to the

development, the Plan Commission shall impose either of the following requirements, or both:

(1) Structures located on the perimeter of the development must be set back in accordance with the provisions of the zoning ordinance controlling the area within which the development is situated; and

(2) Structures located on the perimeter of the development must be well screened in a manner which is approved by the Commission.

- G. Interior streets. The minimum roadway width of two-way streets shall be twenty-seven (27) feet. Such streets shall be paved according to city specifications for residential streets and maintained in good condition and lighted at night. The Plan Commission shall determine streets that must be dedicated so that proper vehicular traffic circulation is achieved between developments. No angle parking shall be permitted on any street.
- H. Sidewalks. Sidewalks shall be provided as deemed necessary by the Plan Commission.
- I. Swimming pools. All swimming pools within a Planned Unit Development shall comply with the provisions of Chapter 37 of the Municipal Code.

8. Density. Density (Dwelling units per acre) may be increased if the character of the development and/or amenities incorporated in the development warrant such increases provided that in no case shall the density increase cause the density of the Planned Unit Development to be more than thirty three (33%) per cent in excess of the density which would be achieved under standard zoning regulations. The Plan Commission shall determine the density which may be permitted within the Planned Unit Development by using the land use intensity Rating Chart I as a guide and modified by any increases in density permitted under Paragraph 8 B of this ordinance. Any additional density allowed shall be at the discretion of the Commission.

A. Planned Unit Development in more than one zone.
If the Planned Unit Development is in more than one zone, the number of allowable dwelling units must be separately calculated for each portion of the planned development that is in a separate zone, and must then be combined to determine the number of dwelling units allowable in the entire Planned Unit Development.

B. Density increases. Density increase shall be governed by the precepts listed below, which are to be treated as additive, and not compounded:

(1) Open space reservation shall be considered for density increases according to the following provision:

For improved and unimproved common open space

- (A) The first acre of common open space, per 20 acres gross, if improved, permits a maximum increase of eight (8%) per cent; if first acre of common open space is unimproved, six (6%) per cent is allowed.
- (B) The second acre of common open space, per 20 acres of gross, if improved, permits a maximum increase of four (4%) per cent; if unimproved, three (3%) per cent is allowed.
- (C) Each additional acre of common open space per 20 acres of gross, if improved, permits a maximum increase of three (3%) per cent; if unimproved, two (2%) per cent is allowed.

(2) Character, identity and architectural and siting variation incorporated in a development shall be considered cause for density increases not to exceed fifteen (15%) per cent, provided these factors make a substantial contribution to the objectives of a Planned Unit Development. The degree of distinctiveness and the desirable variation achieved shall govern the amount of density increase which the Plan Commission may approve. Such variations may include, but are not limited to the following:

(A) Landscaping (a maximum increase of five (5%) per cent): Streetscape; open spaces and plazas; use of existing landscape; pedestrian way treatment; and recreational areas.

(B) Siting (a maximum increase of five (5%) per cent): visual focal points; use of existing physical features such as topography; view; sun and wind orientation; circulation pattern; physical environment; variation in building setbacks; and building groups (such as clustering).

(C) Design features (a maximum increase of five (5%) per cent): Street sections; architectural styles; harmonious^{use} of materials; parking areas broken by landscape features; and varied use of house types.

C. When density increase is not permitted. If the Plan Commission finds that any of the following conditions would be created by an increase in density permitted in subsection paragraph 8 B, it may either deny any application for increase in density, or, limit the increase in density by an amount sufficient to avoid the creation of any of the following conditions:

(1) Inconvenient or unsafe access of the development.

(2) Traffic congestion in streets adjoining the development.

(3) An excessive burden imposed on parks, recreational areas, schools, and other public facilities which serve or are proposed to serve the development.

D. Notification of density increase. The developer will be informed at the time of the approval of the Planned Unit Development, if the Commission should grant additional density.

9. Open spaces. "Common Open Space" is defined as a parcel or parcels of land or an area of water, or a combination of land and water, designed and intended for the use of enjoyment of residents of the Planned Unit Development, or of the general public. Improved

common open spaces may contain ^{or} accessory structures and improvements necessary or desirable for religious, educational, non-commercial, recreational, or cultural uses. A variety of open space and recreational areas is encouraged, such as children's informal play in close proximity to individual dwelling units, the concentration of dwellings; formal parks, picnic areas, playgrounds; and scenic open areas and communal non-commercial recreational facilities. The Plan Commission shall have sole discretion as in determining if open space is improved or unimproved space based upon plans submitted by developer.

A. Conveyance and maintenance of common open space.

All common open space, shown on the final development plan and recorded in the office of the Recorder of Allen County must be conveyed in accordance with one of the following methods:

- (1) By dedication to the city department responsible for maintenance of the parcel, as municipally owned and maintained common open space, provided the parcel is acceptable to that city department; or
- (2) By leasing or conveying title (including beneficial ownership) to a corporation, association, or other legal entity. The terms of such lease or other instrument of conveyance must include provision, suitable to the Plan Commission for guaranteeing: (a) the continued use of such land for the intended purposes; (b) continuity or proper maintenance for those portions of the open space land requiring maintenance; (c) when appropriate, the availability of funds required for such maintenance; (d) adequate insurance protection; and (e) recovery for loss sustained by casualty, condemnation, or otherwise.

In any event, the developer must file in the office of the City Plan Commission, at the time the approved final subdivision plat is filed, legal documents which will produce the aforesaid guarantees and, in particular, will provide a method for restricting the use of common open spaces for the designated purposes.

- B. Utility and continuity for common use. All common open space proposed for dedication to the City of Fort Wayne must be acceptable to it with regard to the size, shape, location and improvement. In addition, the applicant must show that the dedication of such areas as common open space will be of benefit to the general public of Fort Wayne and its environs.

10. Improvements.

- A. Circulation facilities. The arrangement of public and common ways for pedestrian and vehicular circulation in relation to other existing or planned streets in the area and to the Master Plan, together with provisions for street improvements, shall be in compliance with standards set forth in subsections paragraph 7:E and paragraph 7:G above and in the Subdivision Control Ordinance. Upon application by developer and good cause shown, the Plan Commission may permit changes or alterations of such standards which are consistent with the spirit and intent of this section.
- B. Utilities. Whenever reasonably possible, all Planned Unit Developments shall provide for underground installation of utilities (including electricity and telephone) in both public ways and private extensions thereof. Provisions shall be made for acceptable design and construction of storm sewer facilities including grading, gutters, piping, and treatment of turf to handle storm waters, prevent erosion and the formation of dust. Utilities and maintenance of facilities shall be in accordance with the requirements and regulations of the Fort Wayne Board of Public Works. A Planned Unit Development application shall not be approved unless adequate assurance is given that public or quasi-public water and sanitary sewer service will be available, except that upon application by the developer and good cause shown. The Plan Commission may modify or waive this requirement provided such action is consistent with the spirit and intent of this section.

- C. Pedestrian circulation. The pedestrian circulation system and its related walkways shall be insulated completely and as reasonably as possible from the vehicular street system in order to provide separation of pedestrian and vehicular movement. This shall include, when deemed to be necessary by the Plan Commission, pedestrian underpass or overpass in the vicinity of schools, playgrounds, local shopping areas, and other neighborhood uses which generate a considerable amount of pedestrian traffic.
11. Subdivision review. It is the intent of this ordinance that subdivision review under the Subdivision Control Ordinance be carried out as an integral part of the review of a Planned Unit Development under this section. The plans required under subsection -17- of this ordinance must be submitted in a form which substantially will satisfy requirements of the Subdivision Control Ordinance for the preliminary and final plan approvals. However, if any provisions of this ordinance and the Subdivision Control Ordinance are in conflict, the more restrictive or detailed requirements shall be met, unless specifically waived or altered by the Plan Commission.

It is the intent of this section to permit the submission of final subdivision applications for the whole, a part, or parts of the overall Planned Unit Development.

12. Procedure. A generalized summary of the steps for consideration and approval of Planned Unit Developments and subdivision plans relating thereto, is as follows:
- A. Pre-application conference or conferences are held with the Director of Planning in order to obtain information and guidance in preparing the Planned Unit Development application.
- B. The Planned Unit Development application (conceptual and schematic) with plans and statements ¹⁵are submitted to the Plan Commission and a public hearing is held.
- C. If the Planned Unit Development plan is approved

the applicant is authorized to proceed with the preparation of the preliminary subdivision application. If the plan is disapproved then the Commission shall state the reasons for the rejection of the plan.

- D. The preliminary subdivision application is filed with the Plan Commission for Commission action.
 - E. If the preliminary plan is approved the final subdivision plan is filed with the Plan Commission. The Commission shall approve, modify and approve, or disapprove the application within sixty (60) days after a complete application is filed.
 - F. The applicant is notified of Plan Commission action. Approved subdivision plans shall be recorded as required herein and by the Fort Wayne Subdivision Control Ordinance.
 - G. The applicant shall commence construction on the approved subdivision within six (6) months, and begin construction in one (1) year on the approved Planned Unit Development following recordation of approved plans. Upon failure to do so, the Planned Unit Development and approvals are voidable. Work shall not commence on approved commercial or industrial sites until 50% of the Unit Development is completed and occupied.
13. Applicant. Planned Unit Development applications shall be filed in the name or names of the recorded owner or owners of property included in the development, as shown in the Allen County records. However, the applications may be filed by holder(s) of an equitable interest in such property. If recorded title is changed for all or any portions of such property prior to issuing final P.U.D. approval, the records of the Plan Commission and related documents shall be amended to reflect such changes before maps and documents are recorded by the Allen County Recorder, as provided herein.
14. Pre-application conference. To obtain information, each applicant shall confer with the Director of Planning and interested department heads in connection with the preparation of the Planned Unit Development application. The general outlines of the

proposal, evidenced schematically by sketch plans, are to be considered before submission of the Planned Unit Development application. Thereafter the Director of Planning shall furnish the applicant with his written comments regarding such conference, including appropriate recommendations to inform and assist the applicant prior to his preparing the components of the Planned Unit Development application. It is not required that any person requesting a pre-application conference be an owner or holder of an equitable interest in the subject property.

15. Planned Residential Unit Application.

- A. All Planned Unit Development plans shall be submitted to the Plan Commission with an application in the form to be prescribed by it. The Plan Commission shall charge for the processing of the application of the proposed improvements, a fee of One Hundred (\$100) Dollars for each application. This fee shall be in addition to the fee prescribed in the subdivision code.
- B. Within forty (40) days after a complete Planned Unit Development application has been filed with the Plan Commission, the Commission shall hold a public hearing, which shall be construed as satisfying any requirement for a subdivision hearing.
- C. The Plan Commission shall approve, modify and approve, or disapprove any such application within forty (40) days after the public hearing. The Planned Unit Development application shall include the following:
 - (1) A declaration by the developer in which there is furnished:
 - (a) An evaluation of the proposed Planned Unit Development, together with the factors considered in the evaluation;
 - (b) A general statement regarding the nature and location of common open space, and the means by which the developer will guarantee its continuity and maintenance;

- (c) The general location and purpose of all non-residential structures;
 - (d) A general statement indicating the proposed types and location of dwelling units, the anticipated population density associated with each type; and
 - (e) The method by which utilities will be provided.
- (2) Conceptual and schematic plans incorporating the following elements:
- (a) Those listed in subsection 4-8- hereof:
 - (b) Conceptual plans of the entire site showing:
 - 1. Existing contours accompanied by outline of grading plans.
 - 2. Typical cross-sections.
 - 3. Drainage control.
 - 4. Conceptual location of all main and accessory structures accompanied by an outline explaining intended heights, coverage and treatment of yards.
 - 5. General outline of motor vehicle parking and loading provisions.
 - 6. General traffic circulation features, public and private streets, width of right-of-way and roadway, location of vehicular access points thereto.
 - 7. Pedestrian circulation features, walks and paved areas.
 - 8. Landscaping and forestry features.
 - 9. General nature and location of public

and private utilities and community facilities and services, including maintenance facilities.

10. Recreational and other non-building areas, designated.

D. Common Open Space information, including:

- (1) Percentage of acreage of common open space in each part of the development.
- (2) General nature of common open space use.
- (3) Topographical factors affecting common open space.

E. A schematic plan summarizing:

- (1) Residential densities for each part of the development.
- (2) Maximum square footage of gross floor area (under roof) of mercantile and office space.
- (3) Acreage of common open space in each part of the development.

F. A document describing the proposed phasing program for the Planned Unit Development for all dwelling units, non-dwelling structures, recreational and other common facilities, and open space improvements.

16. Approval, notice and authority to proceed.

A. Upon approval of the Planned Unit Development application by the Planning Commission and the Common Council, the Director of Planning forthwith shall:

- (1) Furnish the developer with written notice of the approval.
- (2) Cause the Planned Unit Development to be noted on the face of the Official Zoning Map of the

City of Fort Wayne by outlining the boundaries of land affected thereby.

- (3) File in the Commission office a certified copy of the Planned Unit Development conceptual and schematic plan.
- B. The land described in the above notice shall be used only in accordance with the uses and densities shown on the certified Planned Unit Development conceptual and schematic plan, except as provided in subsection 21.
- C. When the above procedures have been completed, the developer may proceed with the preparation of the preliminary subdivision application.

17. Subdivision Processing.

- A. Subdivision Plans. Subdivision plans shall be submitted in accordance with the Subdivision Control Ordinance to a scale of 1 inch = 100 feet. Subdivision plans also shall show the following:
 - (1) Preliminary
 - (a) Pedestrian ways for general circulation
 - (b) Outside parking areas
 - (c) Areas to be kept open for community use
 - (d) Parcels for subsequent sale (if any)
 - (e) Streets and easements
 - (2) Final
 - (a) Exact engineering data on boundaries, streets and ways, easements, parcels for sale and monuments, in accord^{ance} with subdivision ordinance.
 - (b) Cross reference to recorded Planned Unit Development schematic plan
 - (3) Final subdivision plans may be submitted for

the whole Planned Unit Development at one time, or such plans may be submitted for a part or parts of the Planned Unit Development from time to time.

B. Documents.

(1) At the time the preliminary subdivision application is filed with the Plan Commission, the developer also shall file:

(a) Project cost estimates for all public improvements in the subdivision plan;

(b) Other statements required by the subdivision ordinance.

18. Final Approval. Within six (6) months following the approval of the preliminary subdivision plan, the applicant shall file with the Plan Commission a final subdivision plan containing in final form all the information required. Upon written request by the applicant, the Plan Commission, upon showing of good cause by the developer, may extend for six (6) months the period for filing the final subdivision plan. Within sixty (60) days after the complete final subdivision application is filed, with all necessary documents and exhibits, the Plan Commission must approve, approve and modify, or disapprove it.

19. Recording. Upon approval of the final subdivision application, the Plan Commission shall notify the applicant and thereafter the maps and other related documents shall be recorded in the office of the Allen County Recorder. If the Plan Commission approves the final subdivision application with modifications, the applicant shall cause such modifications to be made and then proceed as above.

20. Failure to begin Planned Unit Development.

A. If no construction has begun in the Planned Unit Development within one (1) year from the approval of the Planned Unit Development and recording of documents said approval shall lapse and be of no further effect. The Plan Commission, upon showing of good cause by the developer, may extend for

periods of one (1) year, the time for beginning construction.

Nothing herein shall be considered as affecting such lapse and revocation if the developer commences construction. If construction commences, the final Planned Unit Development approval may be modified only in accordance with subsection -21- hereafter.

- B. If the construction of the improvements in any subdivision within a Planned Unit Development has not begun within six (6) months from the date the approved subdivision plan was recorded, said subdivision approval shall lapse and be of no further effect. The Plan Commission, for good cause, may extend for periods of six (6) months the time for beginning construction. Except as provided in subsection A, above, the lapsing of subdivision approval shall not result in the lapsing of a Planned Unit Development approval. Notification by registered mail of such lapse shall be forwarded to the developer. Improvements are defined as streets, water, sewer and storm drainage.

21. Revisions of approved final Planned Unit Development. The development shall conform to the approved Planned Unit Development plan and the approved final subdivision plan. The applicant, his successors and assigns shall make no alterations, additions or deletions to the Planned Unit Development plan, the related documents, or to the site, except as provided herein. Upon final approval, changes may be made only pursuant to a new submission of a Planned Unit Development application which shall be processed and approved in accordance with this section. The Plan Commission may authorize minor changes, provided that the overall density is not increased, without a new Planned Unit Development application.
22. Phasing. The establishment of common open spaces and construction of public or common recreational facilities shown on the recorded Planned Unit Development plan together with the construction of other non-residential structures shall proceed substantially in accordance with the phasing program referred to in subsection 15:6.

After general construction commences, the Director of Planning shall review, at least once every six (6) months, all building permits issued and compare them to the overall development phasing program. If he determines that the rate of construction of residential units or non-residential structures substantially differs from the phasing program, he shall so notify the developer and Building Commissioner, in writing; thereafter, the Building Commissioner may issue such orders to the developer as it sees fit, and upon continued violation of this subsection may suspend the developer from further construction of dwelling units or non-residential structures until compliance is achieved.

23. VIOLATION. Whenever the Plan Commission shall find, in the case of any approved Planned Unit Development, that any of the terms, conditions, or restrictions upon which such approval was granted are not being complied with, the Plan Commission may rescind and revoke such approval. Notice thereof shall be given in accordance with subsection -20-. Violation of a Planned Unit Development, as approved, shall constitute a violation of the Zoning Ordinance.

SECTION 2. This Ordinance shall be effective from and after its passage, approval by the Mayor, and legal publication thereof.

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196____, at _____ o'clock ~~P.M., E.S.T.~~

Date: 9-22-70 Thad H. Bonachoon
City Clerk

Read the third time in full and on motion by Dunifon seconded by Robinson and duly adopted, placed on its passage.

Passed (~~1951~~) by the following vote:

AYES	<u>8</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	<u>1</u>	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Muckols	_____	_____	_____	_____	_____	_____	<u>✓</u>	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 10-23-70 Thad H. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~zoning map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 9100-70 on the 27th day of October, 19670.

ATTEST: (SEAL)

Thad H. Bonachoon Herbert Stepien
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of October, 19670 at the hour of 8:30 o'clock A.M.,E.S.T.
Thad H. Bonachoon
City Clerk

Approved and signed by me this 28th day of October, 19670 at the hour of 9:12 o'clock A.M.,E.S.T.
Harold S. Zeis
Mayor

Bill No. G-70-09-25

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the Zoning Ordinance by adding thereto "Subsection N - Planned Unit
Development".

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JACK K. DUNIFON, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

PHIL A. STEIGERWALD

[Handwritten signatures and initials over the list of names]
Jack K. Dunifon
Edwin J. Rousseau
Thomas G. Adams
William K. Geake
Phil A. Steigerwald

CONCURRED IN

DATE 10-27-70 FUAD G. BONAHOOM, CITY CLERK

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 22, 1970, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-70-09-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

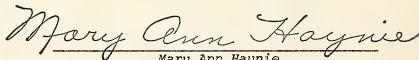
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 19, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Text of the Zoning Ordinance to be amended and the amendment will be in the best interest of and benefit to the City of Fort Wayne;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 19, 1970

Certified and signed this
26th day of October 1970.



Mary Ann Haynie
Secretary

LAND USE INTENSITY BY USE AND DISTRICT

	1 STORY DETACHED	ONE STORY TOWNHOUSE (OR APARTMENT)	2 STORY DETACHED	2 STORY TOWNHOUSE	2 STORY APARTMENT	3 STORY APARTMENT	6 STORY APARTMENT
R1	3.5	—	3.5	—	—	—	—
R2	3.5	4.4	3.5	4.4	4.4	—	—
R3	3.5	5.4	3.5	5.4	5.4	5.4	6.0
RA RB	3.8	4.8	3.8	4.8	4.8	4.8	—

NOTE THE LAND USE INTENSITY RATING BETWEEN 3 AND 6 STORIES WILL BE PRORATED. OVER 6 STORIES DETERMINED BY COMMISSION.

B1A, B1B, B3B, B4 AND M1 DISTRICTS ARE PERMITTED THE SAME LAND USE INTENSITY AS AN R3 DISTRICT.

LAND USE INTENSITY RATING AND RATIOS PERMITTED

(BASED ON GROSS ACREAGE OF TRACT)

LAND USE INTENSITY RATING	FAR	OSR	RSR	LSR	TCR	OCR
3.3	0.12	6.4	0.22	4.8	2.0	1.8
3.5	0.14	5.45	0.20	4.0	2.0	1.65
3.8	0.18	4.4	0.19	3.0	1.8	1.6
4.0	0.2	3.8	0.18	2.6	1.7	1.5
4.4	0.26	2.8	0.16	1.8	1.4	1.3
4.8	0.34	2.1	0.12	1.3	1.4	1.2
5.4	0.53	1.4	0.12	0.78	1.2	0.96
6.0	0.8	0.88	0.095	0.5	0.96	0.8

LAND USE INTENSITY RATING

FAR FLOOR AREA RATIO.....IS MAXIMUM SQUARE FOOTAGE OF TOTAL FLOOR AREA PERMITTED FOR EACH SQUARE FOOT OF LAND AREA.

OSR OPEN SPACE RATIO.....IS MINIMUM SQUARE FOOTAGE OF OPEN SPACE REQUIRED FOR EACH SQUARE FOOT OF FLOOR AREA.

LSR LIVING SPACE RATIO.....IS MINIMUM SQUARE FOOTAGE OF NONVEHICULAR OUTDOOR SPACE REQUIRED FOR EACH SQUARE FOOT OF FLOOR AREA.

RSR RECREATION SPACE RATIO.....IS MINIMUM SQUARE FOOTAGE OF RECREATION SPACE REQUIRED FOR EACH SQUARE FOOT OF FLOOR AREA.

OCR OCCUPANT CAR RATIO.....IS MINIMUM NUMBER OF PARKING-TIME LIMITS REQUIRED FOR EACH LIVING UNIT.

TCR TOTAL CAR RATIO.....IS MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR EACH LIVING UNIT.

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1

1002

1

1004

COMPUTATION OF CHARGES

1004 lines columns wide equals equivalent lines at 288 cents per line

289.15

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

289.15

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 13, 1970

Title CLERK

Amelia De Hall

Legals

NOTICE OF PUBLIC SALE

NOTICE OF PUBLIC SALE

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NOTICE OF PUBLIC SALE

Notary public in and for said county and state, the
LEON DEWALD who, being duly sworn, says
CLERK of the

GAZETTE

newspaper of general circulation printed and published

in the city of FORT WAYNE, INDIANA

said, and that the printed matter attached hereto is a true copy,
ed in said paper for 2 time s, the dates of publication being

November 5, 1970

November 12, 1970

Amelia De Hall

Subscribed and sworn to before me this 13th day of November 1970

Edith Stapleton

Notary Public

My commission expires March

Common Council-City of Ft. Wayne
(Governmental Unit)

To NEWS-SENT INEL Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	<u>1</u>
Head number of lines	<u>1002</u>
Body number of lines	<u>1</u>
Tail number of lines	<u>1004</u>
Total number of lines in notice	

COMPUTATION OF CHARGES

1004 lines, columns wide equals equivalent lines at 288¢ \$ 289.15
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 289.15

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Title Clerk

DAVID T

Subscribed before me, a notary public in and for said county and state, the
A. M. Hostman who, being duly sworn, says
Clerk NEWS-SENT INEL
of the

DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 2 time s, the dates of publication being
as follows:

November 5, 1970

November 12, 1970

Subscribed and sworn to before me this 13th day of November 19 70

Erith Stapleton
Notary Public

My commission expires March 8, 1974

